

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN DEON TURNER, JR.,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION, et al.,

Defendants.

No. 1:21-cv-00673-DAD-SAB (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, AND DENYING  
PLAINTIFF'S REQUEST FOR INJUNCTIVE  
RELIEF

(Doc. Nos. 9, 11)

Plaintiff Steven Deon Turner, Jr., is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 29, 2021, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's motion for preliminary injunctive relief (Doc. No. 9) be denied. (Doc. No. 11.) Those findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days from the date of service. (*Id.* at 5.) On July 20, 2021, plaintiff filed a difficult-to-decipher affidavit that the court construes as objections to the pending findings and recommendations. (Doc. No. 16.) Therein, plaintiff appears to argue that he did not consent to the jurisdiction of the magistrate judge and the finding and recommendation should be voided on that basis.

1 In the United States District Court for the Eastern District of California, magistrate judges  
2 are both authorized and required to issue findings and recommendations in cases brought by  
3 prisoners seeking relief under 42 U.S.C. § 1983. *See* 28 U.S.C. § 636(a), (b)(1); Fed. R. Civ. P.  
4 72; L.R. 302(c)(17), 303. Thus, it was not necessary for the parties to consent in order for the  
5 assigned magistrate judge to issue findings and recommendations in this action. Accordingly,  
6 plaintiff has failed to provide any basis to depart from the thoughtful analysis of the pending  
7 findings and recommendations.

8 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this  
9 court has conducted a *de novo* review of the case. Having carefully reviewed the entire file,  
10 including plaintiff's objections, the court finds the findings and recommendations to be supported  
11 by the record and by proper analysis.

12 Accordingly,

- 13 1. The findings and recommendations issued on June 29, 2021 (Doc. No. 11) are  
14 adopted in full;
- 15 2. Plaintiff's motion for a preliminary injunction (Doc. No. 9) is denied; and
- 16 3. This case is referred back to the assigned magistrate judge for further proceedings  
17 consistent with this order.

18  
19 IT IS SO ORDERED.

20 Dated: August 6, 2021

  
UNITED STATES DISTRICT JUDGE